

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

RICHARD ROY SCOTT,

V.

Plaintiff,

KELLY CUNNINGHAM,

Defendant.

No. C11-5509 BHS/KLS

ORDER RE-NOTING MOTIONS

This matter was stayed pending decision by Chief Judge Marsha J. Pechman of Plaintiff's motion to recuse the undersigned magistrate judge. ECF No. 45. Pursuant to the Order staying this matter, Plaintiff's Motion for Leave to Depose Non-Parties (ECF No. 27), Motion for Default (ECF No. 31), and Motion to Add Defendant (ECF No. 39) were removed from the Court's calendar. Chief Judge Pechman has denied Plaintiff's motion for recusal. ECF No. 49. The stayed motions will now be re-noted on the Court's calendar to allow the parties to respond and reply in a timely fashion.

As Plaintiff was previously advised, motions he filed while this matter was stayed would not be considered and would be dismissed. *See* ECF No. 45 at 3. Plaintiff filed motions after the stay. If Plaintiff wishes any dismissed motion to be considered, he must re-file the motion, serve counsel for Defendant, and note the motion for hearing on the Court's calendar.

ORDER - 1

1 It is **ORDERED** that the Clerk shall **re-note** Plaintiff's motions (ECF Nos. 27, 31, and
2 39) for **November 4, 2011**.

DATED this 19th day of October, 2011.

Keen Lstrom

Karen L. Strombom
United States Magistrate Judge